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PATENT
Customer No. 22,852
Attorney Docket No. 05725.0984

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re Application of:)
Jerome PEYRELEVADE et al) Group Art Unit: 3627
Application No.: 10/024,352) Examiner: Michael A. Cuff
Filed: December 21, 2001) Confirmation No.: 4684
For: SHOP-IN-SHOP WEBSITE)
CONSTRUCTION)

Attention: Mail Stop Appeal Brief--Patents

Commissioner for Patents
P.O. Box 1450
Alexandria, VA 22313-1450

Sir:

REPLY TO NOTIFICATION OF NON-COMPLIANT APPEAL BRIEF

Appellants file this Reply in response to the Notification of Non-Compliant Appeal Brief dated April 3, 2008. The Notification alleged that the Appeal Brief filed on January 8, 2008, does not contain a concise explanation of the subject matter defined in each of the independent claims. The Notification further alleged that "appellant[s] must provide specification support by page and line number and drawing support by reference characters of the claimed subject matter, such as, the supplier's web site, the reseller's website, the first set of information, the second set of information, the third set of information and the common module."

Appellants respectfully disagree with these allegations and maintain that the Appeal Brief filed on January 8, 2008, including the "Summary of Claimed Subject

Matter" section, was fully compliant with the provisions of 37 C.F.R. § 41.37(c)(1)(v). Nevertheless, in response to the Notification, Appellants have submitted herewith an amended Summary of the Claimed Subject Matter section pursuant to M.P.E.P § 1205.03, which states that "[w]hen the Office holds the brief to be defective solely due to the appellant's failure to provide a summary of the claimed subject matter . . . , an entire new brief need not, and should not, be filed. Rather, a paper providing a summary of the claimed subject matter . . . will suffice." The amended summary section maps the limitations of each of the four independent claims on appeal to the figures and to exemplary passages in the specification describing the claimed subject matter.

Summary Of Claimed Subject Matter

A. Independent claim 17

Independent claim 17 recites a method for enabling components of a supplier's website to be integrated into a website of a reseller. The method comprises enabling alternative functionality in the supplier's web site and in the reseller's website using at least one common module containing a first set of information for incorporation into the supplier's website, an alternative second set of information for incorporation into the reseller's website, and a third set of common information for incorporation into both the supplier's and the reseller's website, wherein the alternative functionality includes displaying identifying information unique to each of the supplier and the reseller, the first set of information including identifying information relating to a product supplied by the supplier and unique to the supplier, and the second set of information including identifying information relating to the product supplied by the supplier and unique to the reseller. FIG. 1, item 1200; FIG. 2, items 2500a, 2500b, and 2700; FIG. 3, items 2500a, 2500b, and 2700; FIG. 4, items 4105, 4110, 4120, 4205, 4210, 4215, 4200, 4220, 4305, 4310, 4320, 4325, and 4327; FIG. 5, item 5300; FIG. 11, items 11000, 12000, 12100, and 13000; page 6, lines 13-22; page 7, line 9 - page 8, line 9; page 8, lines 14-23; page 10, line 18 - page 11, line 3; page 12, line 21 - page 13, line 2; page 13, lines 7-18; page 14, lines 6-13; page 15, line 13 - page 16, line 11; page 17, lines 1-4 ; page 26, line 15 - page 27, line 8¹.

¹ The designations of reference numerals and identifications of portions of the specification and drawings in this Brief are merely intended to facilitate explaining how the originally-filed application provides exemplary disclosure relating to the claimed (continued...)

The method also comprises enabling assignment of at least first and second addresses to the module, such that when the module is called in the supplier's website by the first address, the first and third sets of information are caused to be incorporated into the supplier's web site while the second set of information is prevented from being incorporated into the supplier's website, and when the module is called in the reseller's web site by the second address, the second and third sets of information are caused to be incorporated into the reseller 's website while the first set of information is prevented from being incorporated into the reseller's website. FIG. 1, item 1300; FIG. 5, item 5400; page 9, lines 1-12; page 11, line 4 - page 12, line 9; page 16, line 11 - page 17, line 8; page 23, lines 11-15; page 29, line 18 - page 30, line 15.

The method further comprises making the module available for use in constructing the supplier's and reseller's web sites, such that, using the same module, the supplier and the reseller web sites may incorporate common information while at the same time being customized. FIG. 1, item 1400; FIG. 11, items 11000, 12000, and 13000; page 9, line 13 - page 10, line 8; page 12, lines 10-20; page 17, lines 9-18; page 22, lines 12-18; page 23, lines 16-17; page 33, lines 13-19; page 34, line 1 - page 35, line 22.

B. Independent claim 25

Independent claim 25 recites a system for enabling components of a supplier's web site to be integrated into a website of a reseller. The system comprises means for

(...continued)
subject matter. These designations and references are exemplary and non-exhaustive, and they should not be construed as limiting the claims.

enabling alternative functionality in the supplier's web site and in the reseller's website using at least one common module containing a first set of information for incorporation into the supplier's website, an alternative second set of information for incorporation into the reseller's website, and a third set of common information for incorporation into both the supplier's and the reseller's website, wherein the alternative functionality includes displaying identifying information unique to each of the supplier and the reseller, the first set of information identifying information relating to a product supplied by the supplier and unique to the supplier, and the second set of information including identifying information relating to the product supplied by the supplier and unique to the reseller.

This is a means-plus-function recitation and the corresponding structure, material, or act is disclosed in FIG. 1, item 1200; FIG. 2, items 2500a, 2500b, and 2700; FIG. 3, items 2500a, 2500b, and 2700; FIG. 4, items 4105, 4110, 4120, 4205, 4210, 4215, 4200, 4220, 4305, 4310, 4320, 4325, and 4327; FIG. 5, item 5300; FIG. 11, items 11000, 12000, 12100, and 13000; page 6, lines 13-22; page 7, line 9 - page 8, line 9; page 8, lines 14-23; page 10, line 18 - page 11, line 3; page 12, line 21 - page 13, line 2; page 13, lines 7-18; page 14, lines 6-13; page 15, line 13 - page 16, line 11; page 17, lines 1-4 ; page 26, line 15 - page 27, line 8.

The system also comprises means for enabling assignment of at least first and second addresses to the module, such that when the module is called in the supplier's website by the first address, the first and third sets of information are caused to be incorporated into the supplier's web site while the second set of information is prevented from being incorporated into the supplier's website, and when the module is called in the reseller's web site by the second address, the second and third sets of information

are caused to be incorporated into the reseller's website while the first set of information is prevented from being incorporated into the reseller's website. This is a means-plus-function recitation and the corresponding structure, material, or act is disclosed in FIG. 1, item 1300; FIG. 5, item 5400; page 9, lines 1-12; page 11, line 4 - page 12, line 9; page 16, line 11 - page 17, line 8; page 23, lines 11-15; page 29, line 18 - page 30, line 15.

The system further comprises means for making the module available for use in constructing the supplier's and reseller's web sites, such that, using the same module, the supplier and the reseller web sites may incorporate common information while at the same time being customized. This is a means-plus-function recitation and the corresponding structure, material, or act is disclosed in FIG. 1, item 1400; FIG. 11, items 11000, 12000, and 13000; page 9, line 13 - page 10, line 8; page 12, lines 10-20; page 17, lines 9-18; page 22, lines 12-18; page 23, lines 16-17; page 33, lines 13-19; page 34, line 1 - page 35, line 22.

C. Independent claim 26

Independent claim 26 recites a system for enabling components of a supplier's web site to be integrated into a website of a reseller. The system comprises at least one memory including code enabling alternative functionality in the supplier's web site and in the reseller's website using at least one common module containing a first set of information for incorporation into the supplier's website, an alternative second set of information for incorporation into the reseller's website, and a third set of common information for incorporation into both the supplier's and the reseller's website, wherein the alternative functionality includes displaying identifying information unique to each of

the supplier and the reseller, the first set of information including identifying information relating to a product supplied by the supplier and unique to the supplier, and the second set of information including identifying information relating to the product supplied by the supplier and unique to the reseller. FIG. 1, item 1200; FIG. 2, items 2500a, 2500b, and 2700; FIG. 3, items 2500a, 2500b, 2700, and 3305; FIG. 4, items 4105, 4110, 4120, 4205, 4210, 4215, 4200, 4220, 4305, 4310, 4320, 4325, and 4327; FIG. 5, item 5300; FIG. 11, items 11000, 12000, 12100, and 13000; page 6, lines 13-22; page 7, line 9 - page 8, line 9; page 8, lines 14-23; page 10, line 18 - page 11, line 3; page 12, line 21 - page 13, line 2; page 13, lines 7-18; page 14, lines 6-13; page 15, line 13 - page 16, line 11; page 17, lines 1-4 ; page 18, lines 14-18; page 26, line 15 - page 27, line 8.

The memory also includes code enabling assignment of at least first and second addresses to the module, such that when the module is called in the supplier's website by the first address, the first and third sets of information are caused to be incorporated into the supplier' s web site while the second set of information is prevented from being incorporated into the supplier's website, and when the module is called in the reseller's web site by the second address, the second and third sets of information are caused to be incorporated into the reseller 's website while the first set of information is prevented from being incorporated into the reseller's website. FIG. 1, item 1300; FIG. 3, item 3305; FIG. 5, item 5400; page 9, lines 1-12; page 11, line 4 - page 12, line 9; page 16, line 11 - page 17, line 8; page 18, lines 14-18; page 23, lines 11-15; page 29, line 18 - page 30, line 15.

The memory further includes code for making the module available for use in constructing the supplier's and reseller's web sites, such that, using the same module, the supplier and the reseller web sites may incorporate common information while at the same time being customized. FIG. 1, item 1400; FIG. 3, item 3305; FIG. 11, items 11000, 12000, and 13000; page 9, line 13 - page 10, line 8; page 12, lines 10-20; page 17, lines 9-18; page 18, lines 14-18; page 22, lines 12-18; page 23, lines 16-17; page 33, lines 13-19; page 34, line 1 - page 35, line 22.

The system also comprises at least one processor for executing said code.
Page 18, lines 14-18; page 21, lines 1-2.

D. Independent claim 27

Independent claim 27 recites a computer program product for enabling components of a supplier's web site to be integrated into a website of a reseller. The computer program product comprises code enabling alternative functionality in the supplier's web site and in the reseller's website using at least one common module containing a first set of information for incorporation into the supplier's website, an alternative second set of information for incorporation into the reseller's website, and a third set of common information for incorporation into both the supplier's and the reseller's website, wherein the alternative functionality includes displaying identifying information unique to each of the supplier and the reseller, the first set of information including identifying information relating to a product supplied by the supplier and unique to the supplier, and the second set of information including identifying information relating the product supplied by the supplier and unique to the reseller.

FIG. 1, item 1200; FIG. 2, items 2500a, 2500b, and 2700; FIG. 3, items 2500a, 2500b,

2700, and 3305; FIG. 4, items 4105, 4110, 4120, 4205, 4210, 4215, 4200, 4220, 4305, 4310, 4320, 4325, and 4327; FIG. 5, item 5300; FIG. 11, items 11000, 12000, 12100, and 13000; page 6, lines 13-22; page 7, line 9 - page 8, line 9; page 8, lines 14-23; page 10, line 18 - page 11, line 3; page 12, line 21 - page 13, line 2; page 13, lines 7-18; page 14, lines 6-13; page 15, line 13 - page 16, line 11; page 17, lines 1-4 ; page 26, line 15 - page 27, line 8.

The computer program product also comprises code enabling assignment of at least first and second addresses to the module, such that when the module is called in the supplier's website by the first address, the first and third sets of information are caused to be incorporated into the supplier's web site while the second set of information is prevented from being incorporated into the supplier's website, and when the module is called in the reseller's web site by the second address, the second and third sets of information are caused to be incorporated into the reseller's website while the first set of information is prevented from being incorporated into the reseller's website. FIG. 1, item 1300; FIG. 3, item 3305; FIG. 5, item 5400; page 9, lines 1-12; page 11, line 4 - page 12, line 9; page 16, line 11 - page 17, line 8; page 23, lines 11-15; page 29, line 18 - page 30, line 15.

The computer program product further comprises code for making the module available for use in constructing the supplier's and reseller's web sites, such that, using the same module, the supplier and the reseller web sites may incorporate common information while at the same time being customized. FIG. 1, item 1400; FIG. 3, item 3305; FIG. 11, items 11000, 12000, and 13000; page 9, line 13 - page 10, line 8;

page 12, lines 10-20; page 17, lines 9-18; page 18, lines 14-18; page 22, lines 12-18;
page 23, lines 16-17; page 33, lines 13-19; page 34, line 1 - page 35, line 22.

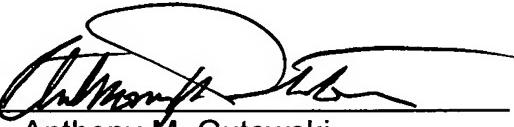
Conclusion

Appellants respectfully request that the non-compliant status be withdrawn. If an extension of time under 37 C.F.R. § 1.136 is required to obtain entry of this Reply, such extension is hereby respectfully requested. While Appellants believe that no fees are due with this Reply, if there are any fees are due that are not enclosed herewith, including any fees required for an extension of time under 37 C.F.R. § 1.136, please charge such fees to Deposit Account No. 06-0916.

Respectfully submitted,

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Dated: May 5, 2008

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